

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BIGHORN DEVELOPMENT, INC., et al.,)	3:05-CV-161-ECR (RAM)
)	
Plaintiffs,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	May 9, 2006
)	
MICHAEL TRUMPOWER, et al.,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE ROBERT A. McQUAID, JR., U.S. MAGISTRATE JUDGE

DEPUTY CLERK: GINA MUGNAINI REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Plaintiffs have filed an Emergency Motion to Compel Discovery (Doc. #37). From a reading of the Motion it is apparent that Plaintiffs have not complied with the Local Rules concerning discovery motions.

Plaintiffs' Motion contains a certification of counsel that attempts to comply with LR 26-7. However, it is apparent from the Motion that the communication referred to in counsel's certification is merely a letter which is attached to the Motion as Exhibit "C". A letter to opposing counsel does not comply with the provisions of LR 26-7(b) which provides that "Discovery motions will not be considered unless a statement of moving counsel is attached thereto certifying that, after personal consultation and sincere effort to do so, counsel have been unable to resolve the matter without court action." Counsel's letter is not a "personal consultation and sincere effort" to resolve this dispute.

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Plaintiffs' Emergency Motion to Compel Discovery (Doc. #37) is **DENIED** without prejudice. Plaintiffs shall not refile the Motion until they have complied with the provisions of LR 26-7(b).

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: _____
Deputy Clerk